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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,594	09/10/2003	Dave R. Dehart	10015846-1	5314

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INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

WALSH, JOHN B

ART UNIT	PAPER NUMBER
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2151

MAIL DATE	DELIVERY MODE
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09/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/659,594

Applicant(s)

DEHART, DAVE R.

Examiner

John B. Walsh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 7, 14, 17-19 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, 14, 17-19 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 23 recites “of the computer that is separate from the printing device driver and its user interface”. It is unclear how the printing device driver and its user interface is separate from the computer when the claim earlier recited the computer comprising the driver and user interface.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6, 7, 14, 17-19 and 21-23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,956,487 to Venkatraman et al.

As concerns claims 1, a method for providing print quality support relative to a printing device, the method comprising: executing a printing device driver (column 7, line 21) on a

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computer (column 3, line 14; client at other end of 22) so as to present a printing device driver user interface (figure 3) to a user on the computer, the printing device driver comprising a program stored on the computer that is used to control operation of a peripheral device separate from the computer; presenting a link (column 7, lines 5-22) to print quality support in the printing device driver user interface on the computer; and providing print quality support information (column 3, lines 20-21; column 5, lines 13-14; column 7, lines 5-22) to the user in a network browser separate from the printing device driver interface on the computer when the link is selected by the user (column 7, lines 5-22; other webpages-thus separate from interface).

As concerns claim 2, wherein presenting a link comprises presenting a hyperlink (column 7, lines 5 and 19) to a network file.

As concerns claim 3, a hyperlink to a network file comprises presenting a hyperlink to at least one of a web document, a web site, and a web page hosted by a server remote to both the computer and the printing device (column 8, claim 5).

As concerns claim 4, the method of claim 1, wherein presenting a link comprises presenting a link in association with a color tab of the printing device driver user interface (column 2, line 34-link displayed on a screen which inherently has colors).

As concerns claim 6, the method of claim 1, wherein providing print quality support information comprises providing print quality support information retrieved from a web server (column 2, line 16) by an Internet browser of the computer via the Internet (column 2, line 30).

As concerns claim 7, the method of claim 1, wherein providing print quality support information comprises presenting information regarding at least one of proper printing device operation and troubleshooting tips (column 5, lines 12-13; column 7, line 7; column 7, line 16).

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As concerns claim 14, a computer comprising: a processing device (computer system- column 5, lines 51-52; inherently has a processing device; column 5, lines 51-64); and memory (system inherently has memory) that stores a printing device driver (column 7, line 21) that is used to operate and control a separate printing device (column 6, line 29); a printing device driver user interface (column 2, line 38) configured to support interaction between a user and the printing device driver; and logic associated with the printing device driver user interface that is configured to enable provision to the user of information regarding print quality issues retrieved from a network (figure 3-user can retrieve information via links).

As concerns claim 17, the computer of claim 14, wherein the logic configured to enable provision of information comprises a hyperlink (figure 3; column 7, lines 5 and 19) to a network file.

As concerns claim 18, the computer of claim 17, wherein the logic configured to enable provision of information is configured to provide the information in a network browser (column 5, lines 51-column 6, line 5) that executes on the computer.

As concerns claim 19, the driver comprising: a printing device driver interface (column 2, line 38; figure 3) configured for presentation in a display of the computer, the interface comprising a link (column 7, lines 5 and 19) to print quality support information hosted by a server remote to both the printing device and the computer (column 8, claim 5), wherein when the link is selected by a user on the separate computer, the print quality support information is presented with a network browser that executes on the computer (column 7, lines 5-22; other webpages-thus separate from interface; link can also be opened in a new window/browser).

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As concerns claim 21, wherein the link is associated with a color tab presented in the printing device user interface (column 2, line 34-link is presented on the interface, "associated" to a color tab since screen which inherently has colors; supplies ordering-order toner).

As concerns claim 22, wherein the print quality support information regards at least one of the proper operation of the printing device and how to troubleshoot print quality problems (column 5, lines 12-13; column 7, line 7; column 7, line 16; figure 3-service contract).

As best understood concerning claim 23, a printing device (column 6, line 29); and a computer (column 3, line 14; client at other end of 22) in communication with the printing device, the computer comprising a printing device driver (device needs drivers to communicate with printer-column 7, line 21) configured to operate and control the printing device and a printing device driver user interface (figure 3) configured to support interaction between a user and the printing device driver, wherein the printing device driver is configured to present links (figure 3; column 7, lines 5 and 19) to print quality support information regarding the printing device, the print quality support information being contained in one or more web pages that can be displayed in a network browser of the computer that is separate from the printing device driver and its user interface (column 5, lines 51-column 6, line 5).

Response to Arguments

5. Applicant's arguments filed June 29, 2007 have been fully considered but they are not persuasive. The applicant argues Venkatraman et al. '487 do not disclose a printing device driver. The examiner disagrees since Venkatraman et al. '487 disclose this limitation at least at column 7, line 21-device driver and column 6, line 29-device is a printer.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

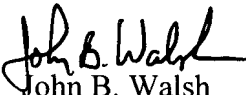
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Thursday from 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571-272-3440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


John B. Walsh
Primary Examiner
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